



## Conflict of Interest & Code of Conduct Policy

### **THIS POLICY IS REQUIRED FOR LEGAL COMPLIANCE.**

In recognition of the IRS inquiry regarding the existence of a policy regarding conflicts of interest, and in support of good governance, IREM Southern Colorado Chapter 53's adopted policy covers disclosure and processing of a Conflict of Interest:

- (a) Defines conflicts of interest;
  - (b) Identifies classes of individuals within the organization covered by this policy;
  - (c) Facilitates disclosure of information that may help identify conflicts of interest; and,
  - (d) Specifies procedures to be followed in managing conflicts of interest.
  - (e) Details code of conduct
  - (f) Provides "Conflict of Interest Acknowledgement and Disclosure Form"
1. **Definition of conflicts.** A conflict of interest arises when a person in a position of authority over the organization may benefit financially from a decision he or she could make in that capacity, including indirect benefits such as to family members or businesses with which the person is closely associated. This policy is focused upon material financial interest of, or benefit to, such persons.
  2. **Individuals covered.** Persons covered by this policy are the organization's officers, directors, and IREM Association Executive.
  3. **Disclosure.** Persons covered by this policy will disclose annually in writing and update the Executive Council at each meeting their interests that could give rise to conflicts of interest, such as a list of family members, membership and leadership in related organizations, substantial business or investment holdings, and other transactions or affiliations with businesses and other organizations or those of family members.
    - a. Conflicting involvements include but are not limited to the following:
      - (a) Any incident of abuse or misuse of any position for personal or third-party gain or benefit.
      - (b) Engaging in outside activities that might be reasonably expected to adversely affect the organization either directly or indirectly.
      - (c) Being involved in situations in which one's loyalty may be divided between personal interests - or the interest of another organization - and the best interest of the organization.
      - (d) Having an affiliation with an organization that is doing business with or seeking grant support from the organization.

- (e) Receiving a gift or an item of value as an inducement to provide special organizational treatment to the donor.

4. **Managing conflicts.** For each interest disclosed to the board chair, he or she will determine whether to:

- (a) Take no action;
- (b) Assure full disclosure to the board of directors and other individuals covered by this policy;
- (c) Ask the person to recuse from participation in related discussions or decisions within the organization; or
- (d) Ask the person to resign from his or her position in the organization or, if the person refuses to resign, become subject to possible removal in accordance with the organization's removal procedures. The organization's Treasurer and IREM Association Executive will monitor proposed or ongoing transactions for conflicts of interest and disclose them to the board chair in order to deal with potential or actual conflicts, whether discovered before or after the transaction has occurred.

5. **Code of conduct.** Members of the IREM Southern Colorado Chapter 53 Executive Council (elected officers and members-at-large) will abide by and conform to the following code of conduct:

- a. Work for the betterment of the organization as a priority, including all participation in discussion and voting matters.
- b. Obey the provisions of federal and state law, to abide by the organization's governing documents and to act in a manner that will bear the closest public scrutiny.
- c. Conduct the business affairs in good faith and with honesty, integrity, due diligence and reasonable competence.
- d. Exercise proper authority and good judgment in dealings with Board and staff members, companies with whom the organization does business and the general public.
- e. Not use information in any manner other than furtherance of duties and responsibilities --- protecting the confidential information closely and not releasing or sharing it without approval from the Board Chair.
- f. Not engage in any business activity or intercede in business relationships that would materially and adversely affect the organization, either directly or indirectly.
- g. Not attempt to persuade staff members to leave the employ of the organization or to accept any other type of employment nor provide any comments regarding present or former staff members to their new or potential employer.
- h. Not engage in - or facilitate - discriminatory or harassing behavior directed toward Board members, staff members or business associates of the organization.
- i. Conduct behavior with unconflicted loyalty to the interests of the organization, realizing that a personal conflict of interest may arise when other interests may compromise the ability to remain unbiased and impartial in organization affairs.
- j. Report conflict of interest to the Board Chair when it arises.

6. **Code of Conduct Acknowledgement and Disclosure Form**

- a. Each member of the Executive Council of IREM Southern Colorado Chapter 53 will be required to sign the "Code of Conduct Acknowledgement and Disclosure Form" annually, to be kept in permanent record by the IREM Association Executive.

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Approved: January 12, 2016



Institute  
of Real Estate  
Management  
Chapter 53



## Code of Conduct Acknowledgement and Disclosure Form

### Acknowledgment and Disclosure Form

- I have read the Code of Conduct and agree to comply fully with its terms and conditions at all times during my term of service.
- I agree that any confidential information given to me with regard to my duties and responsibilities will be treated as such.
- I will not use or disclose such information except as authorized by the Chair and will make my best effort to prevent its unauthorized disclosure.
- Confidential information includes the areas of current and future operations, policies, plans, goals and objectives.
- I acknowledge that as a Board member, I have a duty to put the interests of the organization above my own personal interests or those of any other entity with which I may be associated.
- On this form I am also disclosing circumstances in my personal and professional life that might result in an actual or potential conflict of interest situation with my duty and responsibilities.
- I invite further review by the organization of my circumstances in the areas below as might be deemed appropriate.
- I will take other steps, such as avoiding deliberation and resolution of certain issues or even withdrawing from my position, if it is determined that those steps are necessary.
- If at any time following the submission of this form, I become aware of any actual or potential personal conflicts of interest, I will promptly notify the Chair.

### Disclosure of Actual or Potential Conflicts of Interest

1. Do you or a family member receive compensation or material financial benefit from the organization (excluding expense reimbursement)? ( ) Yes ( ) No
2. Do you or a family member have a relationship or affiliation with a third party providing (or offering to provide) - or receiving (or offering to receive) - goods or services to or from the organization? ( ) Yes ( ) No
3. Do you or a family member have a relationship or affiliation with a third party that has received -or is seeking - grant support from the organization? ( ) Yes ( ) No
4. Do you have a family relationship or business relationship with any current Board or staff member? ( ) Yes ( ) No
5. Do you have a relationship or affiliation with any other group or organization concerned with any issues or initiatives similar to our organization? ( ) Yes ( ) No
6. Have you engaged in any activity within the last 12 months that could be reasonably viewed as having the appearance of a divided interest or loyalty on your part? ( ) Yes ( ) No

If you answered "Yes" to any of the above, please provide a detailed explanation of all relevant facts: \_\_\_\_\_

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Name \_\_\_\_\_ Position: \_\_\_\_\_

Signature \_\_\_\_\_

Date \_\_\_\_\_ E-Mail \_\_\_\_\_